

# COUNTY OF LOS ANGELES

#### DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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December 08, 2009

The Honorable Board of Supervisors County of Los Angeles 383 Kenneth Hahn Hall of Administration 500 West Temple Street Los Angeles, California 90012 **ADOPTED** 

BOARD OF SUPERVISORS COUNTY OF LOS ANGELES

28 December 8, 2009

SACHI A. Hamau SACHI A. HAMAI EXECUTIVE OFFICER

**Dear Supervisors:** 

STREET LIGHTING DISTRICTS

ANNEXATION OF TERRITORY TO COUNTY LIGHTING MAINTENANCE
DISTRICT 10049, AND NEGOTIATED
EXCHANGE OF PROPERTY TAX REVENUES FOR APPROVED
TENTATIVE SUBDIVISION TERRITORY
CITY OF INDUSTRY
(SUPERVISORIAL DISTRICT 1)
(3 VOTES)

#### **SUBJECT**

This action is to annex territory in the City of Industry to County Lighting Maintenance District 10049, for street lighting purposes, and to approve the negotiated exchange of property tax revenues among those nonexempt taxing agencies whose service areas are subject to the jurisdictional change.

The Honorable Board of Supervisors 12/8/2009 Page 2

#### IT IS RECOMMENDED THAT YOUR BOARD:

- 1. Find that the following actions are categorically exempt from the provisions of the California Environmental Quality Act.
- 2. Adopt the Resolution Ordering Annexation of Approved Tentative Subdivision Territory to County Lighting Maintenance District 10049, whose territory is located in the City of Industry and identified on Appendix A and accompanying diagram.
- 3. Adopt the Joint Resolution Approving and Accepting the Negotiated Exchange of Property Tax Revenues Resulting from Annexation of Parcel Map No. 70988 to County Lighting Maintenance District 10049, as approved by the City of Industry and other nonexempt taxing agencies.

The annexation and the exchange of property tax revenue shall not become effective unless the County Assessor approves the legal description for the annexation territory as to definiteness and certainty and, when legally required, the final subdivision map is approved and recorded with the County of Los Angeles Registrar-Recorder/County Clerk.

#### PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this recommended action is to: (1) annex the subdivision listed in Appendix A to County Lighting Maintenance District (CLMD) 10049; and (2) approve the exchange of property tax revenues between CLMD 10049, the City of Industry, and other nonexempt taxing entities, whose service areas are subject to jurisdictional change.

The City of Industry Municipal Code requires the installation of a street lighting system by a developer. The proposed annexation and exchange of property tax revenues are required to provide the necessary funding for the operation and maintenance of street lights.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). We ensure the fiscal sustainability of our street lighting services by performing the annexation and property tax transfer to provide the funding necessary for the operation and maintenance of new street lighting facilities within this annexed territory. In addition, this action is consistent with Community and Municipal Services (Goal 3), since street lighting services provides for the delivery of a customer-oriented municipal service that improves the quality of life for residents in the area.

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#### **FISCAL IMPACT/FINANCING**

Sufficient funds are included in the Fiscal Year (FY) 2009-10 budget for CLMD 10049 to fund the costs for the operation and maintenance of the street lights within the annexed territory, should operation and maintenance charges estimated to be \$800 annually be incurred prior to the end of FY 2009-10. Funds to finance future operational cost will be made through the Department of Public Works (Public Works) annual budget process.

In subsequent years, the ongoing operation and maintenance costs of the street lights within this annexed territory will be funded by CLMD 10049's share of ad valorem property taxes, supplemented by funds from the City of Industry. The proposed annexation will result in a minimal property tax growth transfer from the affected taxing entities including the County General Fund, the Los Angeles County Flood Control District, and the Consolidated Fire Protection District to CLMD 10049.

#### FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The City of Industry has executed a Resolution Granting Consent and Jurisdiction to the County of Los Angeles in the matter of the annexation for Parcel Map No. 70988 to CLMD 10049, pursuant to Section 5837 of the California Streets and Highways Code. The resolution is on file with Public Works.

New developments are typically required to provide street lighting in accordance with applicable subdivision, planning, and zoning ordinances as a condition of approval. The California Streets and Highways Code Section 5821.3, provides that a territory owned by a subdivider subject to said ordinance may be annexed to a lighting district, without notice and hearing. The posting and publishing requirements for the project listed in Appendix A is, therefore, not required.

Section 99.01(a)(4) of the California Revenue and Taxation Code provides that affected agencies must approve and accept the negotiated exchange of property tax revenues by resolution. The Joint Resolution Approving and Accepting the Negotiated Exchange of Property Tax Revenues, approved by the City of Industry and all affected taxing agencies, is enclosed for your consideration.

Following your Board's approval of the enclosed resolutions for the annexation and exchange of property tax revenues, and the recordation of a final subdivision map and/or approval of the legal description by the County Assessor, Public Works will file the statement of boundary changes with the State Board of Equalization as required by Section 54900 et seq. of the California Government Code.

The enclosed resolutions have been approved as to form by County Counsel.

#### **ENVIRONMENTAL DOCUMENTATION**

This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) in that they meet the criteria set forth in Section 15301(c) of the CEQA Guidelines and Class 1(x)(27) of the County's Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987. These exemptions provide for formation of and annexations to street lighting districts.

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#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The annexation of the territory to CLMD 10049 will result in street lighting for this area and will have no impact on other services or projects.

#### **CONCLUSION**

Please return one adopted copy of this letter and the signed resolutions to Public Works, Traffic and Lighting Division. Also, please forward one adopted copy of the letter and resolutions to the County Assessor, Ownership Services Section (Attention Angela Gadsden); and to the Auditor-Controller, Tax Division (Attention Kelvin Aikens).

Respectfully submitted,

**GAIL FARBER** 

Director

GF:WJW:cn

**Enclosures** 

c: Chief Executive Office (Lari Sheehan)
County Counsel (Talin Halabi)
Executive Office

Hair Farher

# COUNTY OF LOS ANGELES BOARD OF SUPERVISORS RESOLUTION ORDERING ANNEXATION OF APPROVED TENTATIVE SUBDIVISION TERRITORY TO COUNTY LIGHTING MAINTENANCE DISTRICTS 10049

WHEREAS, the City of Industry Municipal Code requires the construction of street lighting improvements for developments; and

WHEREAS, the City of Industry has executed a Resolution Granting Consent and Jurisdiction to the County of Los Angeles in the matter of the annexation of territory to County Lighting Maintenance District 10049; and

WHEREAS, the Improvement Act of 1911 (Section 5821.3 of the California Streets and Highways Code) provides that territory owned by the subdivider may be annexed to a lighting district if so provided by Ordinance, without notice or hearing.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles that:

SECTION 1. The Board of Supervisors hereby finds that the public interest and convenience require the operation and maintenance of the street lighting improvements within the territory proposed for annexation to County Lighting Maintenance District 10049.

SECTION 2. The Board of Supervisors hereby authorizes the annexation of territory listed in Appendix A and whose area and boundary is described on the map attached herein, to the County Lighting Maintenance District 10049.

SECTION 3. The Board of Supervisors hereby determines that the territory identified will be benefited by the annexation to the County Lighting Maintenance District 10049, and hereby orders the boundary of said District be altered to include said benefited territory.

SECTION 4. The Executive Officer of the Board is hereby ordered and directed to file a certified copy of this resolution upon its adoption with the County Assessor, Ownership Services Section (Attention Angela Gadsden); and with the Auditor-Controller, Tax Division (Attention Kelvin Aikens).

SECTION 5. Notwithstanding the foregoing, the above annexation of the territory listed in Appendix A to the County Lighting Maintenance District 10049, is conditioned upon, and shall not become effective unless the legal description for the annexation territory is approved as to definiteness and certainty by the County Assessor and, when legally required, the final subdivision map is approved and recorded with the County of Los Angeles Registrar-Recorder\County Clerk.

# **APPENDIX A**

# PROPOSED ANNEXATION OF APPROVED TENTATIVE SUBDIVISION TERRITORY COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

Subdivision Project	CLMD	Sup Dist.	City or County Area	Location
Parcel Map No. 70988	10049	1	City of Industry	Railroad Street west of Charlie Road

The foregoing resolution was on the 8th day of December, 2009, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing district, agencies, and authorities for which said Board so acts.



SACHI A. HAMAI Executive Officer of the Board of Supervisors of the County of Los Angeles

Deputy

APPROVED AS TO FORM:

ROBERT E. KALUNIAN Acting County Counsel

Denuty

#### JOINT RESOLUTION OF

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES;
THE BOARD OF DIRECTORS OF SANITATION DISTRICT NO. 21 OF
LOS ANGELES COUNTY (COUNTY SANITATION DISTRICT NO. 21); THE CITY
COUNCIL OF THE CITY OF INDUSTRY; THE BOARD OF DIRECTORS OF THE
ROWLAND WATER DISTRICT; AND THE BOARD OF DIRECTORS OF THE THREE
VALLEYS MUNICIPAL WATER DISTRICT - ROWLAND AREA
APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF
PROPERTY TAX REVENUES RESULTING FROM
ANNEXATION OF PARCEL MAP NO. 70988
TO COUNTY LIGHTING MAINTENANCE DISTRICT 10049

WHEREAS, pursuant to Section 99.01 of the Revenue and Taxation Code, prior to the effective date of any jurisdictional change that will result in a special district providing one or more services to an area where those services have not previously been provided by any local agency, the special district and each local agency that receives an apportionment of property tax revenue from the area must negotiate an exchange of property tax increment generated in the area subject to the jurisdictional change and attributable to those local agencies, and

WHEREAS, the Board of Supervisors of the County of Los Angeles, acting on behalf of the County Lighting Maintenance District 10049, the County General Fund, the Consolidated Fire Protection District of Los Angeles County, the Los Angeles County Flood Control Drainage Improvement Maintenance District, and the Los Angeles County Flood Control District; the Board of Directors of Sanitation District No. 21 of Los Angeles County (County Sanitation District No. 21); the City Council of the City of Industry; the Board of Directors of the Rowland Water District; and the Board of Directors of the Three Valleys Municipal Water District – Rowland Area have determined that the amount of property tax revenue to be exchanged between their respective agencies as a result of the annexation proposal identified as Parcel Map No. 70988 to County Lighting Maintenance District 10049 is as shown on the enclosed Property Tax Transfer Resolution Worksheet.

#### NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. The negotiated exchange of property tax revenues between the County Lighting Maintenance District 10049, the County General Fund, the Consolidated Fire Protection District of Los Angeles County, the Los Angeles County Flood Control Drainage Improvement Maintenace District, the Los Angeles County Flood Control District, the County Sanitation District No. 21, the City of Industry, the Rowland Water District, and the Three Valleys Municipal Water District - Rowland Area resulting from the annexation proposal identified as Parcel Map No. 70988 to County Lighting Maintenance District 10049 is approved and accepted.
- 2. For fiscal years commencing on or after July 1, 2009, or the July 1 after the effective date of this jurisdictional change, whichever is later, the property tax revenue increment generated from the area within Parcel Map No. 70988 (Tax Rate Area 08267) shall be allocated to the affected agencies as indicated in the enclosed Property Tax Transfer Resolution Worksheet.
- No transfer of property tax revenues other than those specified in Paragraph 2, shall be made as a result of the annexation of Parcel Map No. 70988.
- 4. If at any time after the effective date of this resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect, thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year, and any amounts of property tax received in excess of that which is proper shall be refunded to the appropriate agency.

PASSED, APPROVE by the following vote:	D, AND AD	OPTED this 22nd (	day of <u>July</u> ,	2009,
by the following vote.	AYES:	NINE (9)		
	NOES:	NONE		•
	ABSENT:	ONE (1)		
	ABSTAIN:	NONE		

SANITATION DISTRICT NO. 21 OF LOS ANGELES COUNTY

unter WMons Chairperson, Board of Directors

1111 7 7 7 7009

Date

#### **RESOLUTION NO. 2284**

JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES; THE BOARD OF DIRECTORS OF SANITATION DISTRICT NO. 21 OF LOS ANGELES COUNTY (COUNTY SANITATION DISTRICT NO. 21); THE CITY COUNCIL OF THE CITY OF INDUSTRY; THE BOARD OF DIRECTORS OF THE ROWLAND WATER DISTRICT; AND THE BOARD OF DIRECTORS OF THE THREE VALLEYS MUNICIPAL WATER DISTRICT-ROWLAND AREA APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM ANNEXATION OF PARCEL MAP NO. 70988 TO COUNTY LIGHTING MAINTENANCE DISTRICT 10049

WHEREAS, pursuant to Section 99.01 of the Revenue and Taxation Code, prior to the effective date of any jurisdictional change that will result in a special district providing one or more services to an area where those services have not previously been provided by any local agency, the special district and each local agency that receives an apportionment of property tax revenue from the area must negotiate an exchange of property tax increment generated in the area subject to the jurisdictional change and attributable to those local agencies, and

WHEREAS, the Board of Supervisors of the County of Los Angeles, acting on behalf of the County Lighting Maintenance District 10049, the County General Fund, the Consolidated Fire Protection District of Los Angeles County, the Los Angeles County Flood Control Drainage Improvement Maintenance District, and the Los Angeles County Flood Control District (County Sanitation District No. 21); The City Council of the City of Industry; the Board of Directors of the Rowland Water District; and the Board of Directors of the Three Valley Municipal Water District - Rowland Area have determined that the amount of property tax revenue to be exchanged between their respective agencies as a result of the annexation proposal identified as Parcel Map No. 70988 to County Lighting Maintenance District 10049 is as shown on the enclosed Property Tax Resolution Worksheet.

# NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The negotiated exchange of property tax revenues between the County Lighting Maintenance District 10049, the County General Fund, the Consolidated Fire Protection District of Los Angeles County, the Los Angeles County Flood Control Drainage Improvement Maintenance District, the Los Angeles County Flood

Control District, the County Sanitation District No. 21, the City of Industry, the Rowland Water District, and the Three Valleys Municipal Water District - Rowland Area resulting from the annexation proposal identified as Parcel Map No. 70988 to County Lighting Maintenance District 10049 is approved and accepted.

- 2. For fiscal years commencing on or after July 1, 2009, or the July 1 after the effective date of this jurisdictional change, whichever is later, the property tax revenue increment generated from the area within Parcel Map. 70988 (Tax Rate Area 08267) shall be allocated to the affected agencies as indicated in the enclosed Property Tax Transfer Resolution Worksheet.
- 3. No transfer of property tax revenues other than those specified in Paragraph 2 shall be made as a result of the annexation of Parcel Map No. 70988.
- 4. If at any time after the effective date of this resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect, thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year, and any amounts of property tax received in excess of that which is proper shall be refunded to the appropriate agency.

David Perez, Mayor

PASSED, APPROVED, and ADOPTED this 9th day of July, 2009.

ATTEST:

Jodi L. Scrivens, City Clerk

APPROVED AS TO FORM:

Michele R. Vadon, City Attorney

STATE OF CALIFORNIA COUNTY OF LOS ANGELES	) ) ss. )	CITY CLERK'S CERTIFICATION RE: ADOPTION OF CITY RESOLUTION
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I, Jodi L. Scrivens, City Clerk of the City of Industry, do hereby certify that the foregoing Resolution No. 2284 was duly passed and adopted at a regular meeting of the City Council on July 9, 2009, by the following vote, to wit:

AYES:

COUNCIL MEMBERS:

Haber, Ferrero, Spohn,

MPT/Parriott, M/Perez

NOES:

COUNCIL MEMBERS:

None

ABSENT:

COUNCIL MEMBERS:

None

ABSTAIN:

COUNCIL MEMBERS:

None

Jodi L. Scrivens, City Clerk City of Industry, California

(SEAL)

I hereby certify that the above and foregoing document is a true and correct copy of the original record on file in this office.

Cecelia Glasbrenner, Deputy City Clerk City of Industry

Dated: August 4, 2009

### NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. The negotiated exchange of property tax revenues between the County Lighting Maintenance District 10049, the County General Fund, the Consolidated Fire Protection District of Los Angeles County, the Los Angeles County Flood Control Drainage Improvement Maintenace District, the Los Angeles County Flood Control District, the County Sanitation District No. 21, the City of Industry, the Rowland Water District, and the Three Valleys Municipal Water District Rowland Area resulting from the annexation proposal identified as Parcel Map No. 70988 to County Lighting Maintenance District 10049 is approved and accepted.
- 2. For fiscal years commencing on or after July 1, 2009, or the July 1 after the effective date of this jurisdictional change, whichever is later, the property tax revenue increment generated from the area within Parcel Map No. 70988 (Tax Rate Area 08267) shall be allocated to the affected agencies as indicated in the enclosed Property Tax Transfer Resolution Worksheet.
- 3. No transfer of property tax revenues other than those specified in Paragraph 2, shall be made as a result of the annexation of Parcel Map No. 70988.
- 4. If at any time after the effective date of this resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect, thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year, and any amounts of property tax received in excess of that which is proper shall be refunded to the appropriate agency.

PASSED, APPROVE by the following vote:	D, AND ADC	PTED this _	14th	c	day of	July	, 2009,
by the following vote.	AYES:	Directors	Lewis,	Lima,	Rios,	Lu and	Bellah
	NOES:	None .					
	ABSENT:	None					
	ABSTAIN:	None	_				
			R	OWLAI	ND WA	TER DI	STRICT

Chairperson, Board of Directors

Robert W. Lewis

ATTEST:

Secrétary Ken Deck

July 14, 2009

Date

# NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. The negotiated exchange of property tax revenues between the County Lighting Maintenance District 10049, the County General Fund, the Consolidated Fire Protection District of Los Angeles County, the Los Angeles County Flood Control Drainage Improvement Maintenace District, the Los Angeles County Flood Control District, the County Sanitation District No. 21, the City of Industry, the Rowland Water District, and the Three Valleys Municipal Water District - Rowland Area resulting from the annexation proposal identified as Parcel Map No. 70988 to County Lighting Maintenance District 10049 is approved and accepted.
- 2. For fiscal years commencing on or after July 1, 2009, or the July 1 after the effective date of this jurisdictional change, whichever is later, the property tax revenue increment generated from the area within Parcel Map No. 70988 (Tax Rate Area 08267) shall be allocated to the affected agencies as indicated in the enclosed Property Tax Transfer Resolution Worksheet.
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- 4. If at any time after the effective date of this resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect, thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year, and any amounts of property tax received in excess of that which is proper shall be refunded to the appropriate agency.

PASSED, APPROVED, AND ADOPTED this <u>8th</u> day of <u>July</u> 2009, by the following vote:
AYES: Alvarez, Bowcock, Horan, Kuhn, Mendoza, Ruzicka
NOES:
ABSENT: De Jesus
ABSTAIN:
THREE VALLEYS MUNICIPAL WATER DISTRICT - ROWLAND AREA  Chairperson, Board of Directors
Secretary
Date

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The foregoing resolution was on the 8th day of December , 2009, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing district, agencies, and authorities for which said Board so acts.



SACHI A. HAMAI Executive Officer of the Board of Supervisors of the County of Los Angeles

Deputy

APPROVED AS TO FORM:

ROBERT E. KALUNIAN Acting County Counsel

Deputy